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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [KDEM](#) [GG](#)  
SUBJECT: GEORGIA: ELECTION CODE REFORM BACK AGAIN

REF: 07 TBILISI 1477

Classified By: Ambassador John Tefft for reasons 1.4 (b) and (d).

¶1. (C) Summary/Comment: Speaker Bakradze announced December 15 the formation of a special group of lawmakers from the Parliamentary majority and minority, NGO representatives, and non-Parliamentary opposition to improve the election code. It is generally agreed that the current code is flawed and has been a source of much criticism from both the opposition and NGO and international community. This move represents a positive step and concrete effort to bring the various stakeholders together to form some sort of consensus, although the Georgians have been down this road before (reftel). Thus far, all non-Parliamentary opposition parties except the Industrialists have said they will not take part in the group unless the Government also agrees to call new parliamentary elections for the spring. Although the election reform group would be an excellent forum for non-Parliamentary parties to engage the GOG, their rejection of the offer calls into doubt their oft cited desire to be included in policy discussions. Putting conditions on participation, especially following repeated demands to be included in such discussions, raises the question of whether the non-Parliamentary opposition is committed to electoral reform or simply wants another crack at elections. End Summary and Comment.

¶2. (U) Speaker Bakradze made the offer for all interested parties to participate in reforming the electoral code at a December 15 press conference. Bakradze said that he expected the work to be finished by Spring 2009 when it would be reviewed by international specialists for comments/recommendations. The code could then be adopted by Parliament in time for local elections, currently scheduled for autumn 2010. Bakradze said it would be up to the group to decide whether to develop an entirely new code or simply amend the existing one. ODIHR has criticized the election code for "creating an unequal playing field in favor of the ruling party", although it labeled the code as "generally conducive to conducting democratic elections."

¶3. (U) A key criticism of the code is the provision for the election of the 75 majoritarian MPs in single mandate constituencies (Note: The remaining 75 seats are distributed among lawmakers elected through a traditional party-list proportional system. End Note.). In the majoritarian districts, any candidate that wins with more than 30% of the total vote does not need to face a runoff. This system, in light of the opposition's fragmentation, resulted in the United National Movement (UNM) winning outright 71 of these 75 seats. Also, district sizes are extremely uneven in size, ranging from 6,000 to 140,000 constituents which distorts the relative level of Parliamentary representation among districts. Both of these provisions are likely to be discarded or changed.

¶4. (C) Speaker Bakradze told us he was hopeful agreement could be reached rather quickly on a new election code. He said he had reached out to the non-Parliamentary opposition, but thus far only the Industrialists accepted his offer.

Labor, New Rights/Republicans, and Conservatives had all refused to participate except via the NGO community, unless the Government also committed to calling new pre-term elections, something Bakradze categorically stated would not happen. Bakradze alleged that former Speaker Burjandze, Gamkrelidze, and others simply want another shot at Parliament and hope that public pressure would push the GOG to comply. Bakradze said that the electoral code working group will move on with or without non-parliamentary opposition participation.

TEFFT